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July 22, 2005

David R. Saliwanchik  
David R. Saliwanchik, Patent Attorney

Patent Application  
Docket No. GJE-6941  
Serial No. 10/509,782

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Christopher Robin Lowe *et al.*  
Serial No. : 10/509,782  
Filed : September 29, 2004  
Conf. No. : 7691  
For : Method of Detecting An Analyte in a Fluid

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18 JAN 2006

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Commissioner of Patents  
P.O. Box 1450  
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Legal Staff  
International Division

PETITION TO FILE APPLICATION WITHOUT  
SIGNATURE OF JOINT INVENTOR

Sir:

Pursuant to 37 CFR 1.47(a), the applicants hereby petition to file the above-identified application without the signature of joint inventor Anthony Peter James. The applicants have been unsuccessful in obtaining the signature of Mr. James to date.

The applicants have attached documentation wherein documents have been sent to Mr. James for execution. Although Dr. James has indicated that he will sign the documents, to date the Declaration and Power of Attorney document has not been received.

Attached are communications between Mr. Perry and Dr. James.

Docket No. GJE-6941  
Serial No. 10/509,782

Please charge the petition fee of \$130 to Deposit Account 19-0065. The Commissioner is hereby authorized to charge any additional fees as required by 37 CFR 1.17(h) to Deposit Account No. 19-0065. Two copies of this Petition are enclosed for authorization of charges to the Deposit Account.

Respectfully submitted,



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DRS/la

Enclosures: as stated above

**From:** Robert Perry  
**To:** "apjames@unimelb.edu.au".GWIA.GJ&E  
**Date:** Mon, Jun 27, 2005 10:42 AM  
**Subject:** Re: Smart Holograms US and Canadian cases SHL004 and SHL005

Dear Anthony

Your signature is required in order to confirm your inventorship, before the US & Canadian Patent Offices (other offices, such as the European Patent Office, do not require such confirmation, although corresponding applications have been filed there). This is entirely routine.

The respective inventions are the subject of applications that have been filed, and are awaiting examination. Ownership lies with Smart Holograms Ltd. and, as you will appreciate, I am acting for SHL.

I hope this explains things adequately, and I await the signed forms as soon as possible.

Regards  
Robert

>>> Dr Anthony James <apjames@unimelb.edu.au> 06/27/05 07:26am >>>

Email received, it is my intention to sign the documents and send them back to you. However, I am confused as to why my signature is required and would appreciate some clarification of what is happening to the patents, and related patents, and who currently owns them etc.

Anthony

At 07:39 PM 24/06/2005, you wrote:

>Our Refs: REP06941CA/US and REP7020CA/US

>

>Dear Dr James

>

>You are named as one of the inventors on each of 2 patent applications

>in the name of Smart Holograms Ltd, respectively relating to Continuous

>Sensing and Macroporous Holograms. You and your co-inventors kindly

>signed forms authorising the filing of the 2 PCT applications in April

>2003, and SHL now wants to pursue each in USA & Canada. Their local

>practices require the filing of documents executed by the inventors.

>The 6 relevant forms are attached, and I ask you to sign them in the

>relevant spaces (witnessed as appropriate) and return them to me as soon

>as possible.

>

>If you want to enter your new address, please make the change in

>manuscript, and date and initial the change in each case.

>

>I should very much appreciate a brief acknowledgement of this email.

>But for the avoidance of doubt, if I have not received the signed

>documents from you within 30 days, the US and Canadian Patent Offices

>will be advised that you do not intend to sign them, and the

>applications will proceed on that basis.

>

>Regards

>Robert Perry

>

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>transmitted with it are intended solely for the use of the

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